

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGANRuffin L. Parker, 15405-040**FILED**July 14, 2020 10:45 AM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: mkc SCANNED BY: J4 / 7-14

(Enter above the full names of all plaintiffs, including prisoner number, in this action.)

Chief District Judge Paul L. Maloney Public Attorney
Daniel R. Fagan U.S. Assistant's B. Rene Shekmer
And Jennifer L. Memanus**1:20-cv-636**Paul L. Maloney - U.S. District Judge
Phillip J. Green - U.S. Magistrate Judge

(Enter above the full name of the defendant or defendants in this action.)

COMPLAINT**I. Previous Lawsuits**

CAUTION: The Prison Litigation Reform Act has resulted in substantial changes in the ability of incarcerated individuals to initiate lawsuits in this and other federal courts without prepayment of the civil action filing fee. Accurate and complete responses are required concerning your litigation history. Generally, a plaintiff's failure to accurately and completely answer the questions set forth below will result in denial of the privilege of proceeding *in forma pauperis* and require you to pay the entire \$400.00 filing fee regardless of whether your complaint is dismissed.

- A. Have you ever filed a lawsuit while incarcerated or detained in any prison or jail facility? Yes ☐ No ☒
- B. If your answer to question A was yes, for each lawsuit you have filed you must answer questions 1 through 5 below. Attach additional sheets as necessary to answer questions 1 through 5 below with regard to each lawsuit.
1. Identify the court in which the lawsuit was filed. If it was a state court, identify the county in which the suit was filed. If the lawsuit was filed in federal court, identify the district within which the lawsuit was filed.

 2. Is the action still pending? Yes ☐ No ☒
 - a. If your answer was no, state precisely how the action was resolved: _____
 3. Did you appeal the decision? Yes ☒ No ☐
 4. Is the appeal still pending? Yes ☒ No ☐
 - a. If not pending, what was the decision on appeal? _____
 5. Was the previous lawsuit based upon the same or similar facts asserted in this lawsuit? Yes ☐ No ☒

If so, explain: _____

II. Place of Present Confinement Ashland KY, Federal Correctional Institution

If the place of present confinement is not the place you were confined when the occurrence that is subject of instant lawsuit arose, also list the place you were confined:

III. Parties

A. Plaintiff(s)

Place your name in the first blank and your present address in the second blank. Provide the same information for any additional plaintiffs. Attach extra sheets as necessary.

Name of Plaintiff Ruffin L. Parker 15405-040

Address U.S. District Court 399 Federal Building 110 Michigan St N.W. Grand Rapids MI
Zip Code 49503

B. Defendant(s)

Complete the information requested below for each defendant in this action, including whether you are suing each defendant in an official and/or personal capacity. If there are more than four defendants, provide the same information for each additional defendant. Attach extra sheets as necessary.

Name of Defendant #1 Chief United States District Judge Paul L. Maloney

Position or Title Chief Judge

Place of Employment United States District Court Western District of Michigan

Address United States District Court 110 Michigan St N.W. Grand Rapids, MI 49503

Official and/or personal capacity? _____

Name of Defendant #2 Daniel R. Fagan

Position or Title Associates, PC

Place of Employment The Steepleview Building

Address 429 Turner, N.W. Grand Rapids, MI 49504

Official and/or personal capacity? _____

Name of Defendant #3 B. Rene Shekmer

Position or Title Assistant United States Attorney

Place of Employment Assistant United States Attorney

Address P.O. Box 208 Grand Rapids, MI 49501

Official and/or personal capacity? _____

Name of Defendant #4 Jennifer L. McManus

Position or Title United States Attorney

Place of Employment Andrew Byerly Birge United States Attorney

Address P.O. Box 208 Grand Rapids, MI 49501

Official and/or personal capacity? _____

Name of Defendant #5 _____

Position or Title _____

Place of Employment _____

Address _____

Official and/or personal capacity? _____

IV. Statement of Claim

State here the **facts** of your case. Describe how each defendant is personally involved. Include also the names of other persons involved, dates and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets if necessary.

When I got indicted the court appointed Mr. Fagan to represent me in my sentencing. When I was on Bond Ms. Shekmer called my cell phone and threatened me to take a plea deal. After I hung up with her, I called my lawyer to let him know what she said to me. He said he knew her very well and she would never call and threaten me. He's supposed to be helping me but he wasn't. At my (PSI) hearing he let them put my whole past in my (PSI) to get more time added on my sentence. The guy there asked Mr. Fagan is everything in my past was right. He told him yes it was and then I asked Mr. Fagan was stop him for putting my past on there. Mr. Fagan stopped looking at his phone, looked at me and said NO he knew what he was doing. 4 The DEA told my co-defendant I had nothing to do with the indictment and Mr. Fagan tried his best to fight for me and at my sentence Mr. Fagan told me that he and Judge Maloney were very good friends and went to the same law school together. I want Mr. Fagan, Ms. Shekmer and the DEA Agent who arrested me to take a polygraph test. 5 So here by on my civil rights Act 42 U.S.C. 1983 complaint and legibly handwritten with related claim and indic that here by, I, challenging on my criminal conviction and indictment involving injustice of the Advisory Guideline, Also newly discovered evidence of plain error under the supreme court Habeas Corpus Statutory Penalties and also due process clause under the 14th Amendment and 5th Amendment. under the prison Litigation Reform of Incarcerated. I would like to proceed my in forma pauperis under multiple civil rights violation of the law. Under my sentencing Drug indictment and drug conspiracy that triggered a statutory scheme under the penalty of law involving statutory penalty of the 841-b-1-A. By my Sentencing Court Judge and Defendants. So, here by, under the 1983 U.S.C. 42 Several Defendants violated my testimony and civil rights by the court of Law, under 18 U.S.C. 1512-B-2-i my sentencing Judge Chief Paul L. Maloney and public Attorney Daniel R. Fagan and the District Attorney Rene Shekmer and Jennifer L. McManus.

V. Relief

State briefly and precisely what you want the court to do for you.

I would like for this civil action to Authorized this U.S.C. 42 Section 1983 to
redress the deprivation under color of State Law of rights secured by the constitut-
ion of the U.S. The Court has the jurisdiction under 28 U.S.C. section 1331 and 1343-
A-3 declaratory relief pursuant to 28 U.S.C. section 2201 and 2202. I, the Plaintiff
claims for injunctive relief that are authorized by ²⁸U.S.C. section 2283 and 2284
and Rule 65 of the Federal Rules of Civil Procedures. This is why I want relief
from prison. Discrimination rights to a Higher Court Constitutional issue Due process
violation constitutional Amendments 14th and 5th. I would like the courts to seek
declaratory relief considering my Prison sentence.

7-7-2020
Date


Signature of Plaintiff

NOTICE TO PLAINTIFF(S)

The failure of a *pro se* litigant to keep the court apprised of an address change may be considered cause for dismissal.

So here by under the Unconstitutional Practices of the United States Supreme Court Vance vs. United States 567 U.S. 949-2012 "State" that F.S.A. and the Amendment do apply retroactively under the Section 3582-C-2 U.S. vs Vance imposed the 3553-A provision that's qualify several career offender statutory range of punishment Based on the F.S.A. partial minimum mandatory sentence further "reduction". Truth of my case is my Chief Judge Paul L. Maloney and District Attorneys B. Rene Skelmer and Jennifer L. McManus was "upset" because I did not cooperate with the courts so they making everything hard that am filing in the District Court. Also they want answers any of my motions for relief and also want to transfer any motion to the appeals court are give me any purported to another to the Appeal Court. My Sentence Judge Paul L. Maloney and the U.S. District Attorneys are violating all my Civil and Constitutional Rights, this why am Proceeding this Motion U.S.C. 421983 Informa Pauperis for relief.

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So, here by ~~and~~ ~~the~~ ~~Constitutional~~ ~~Practices~~ of the United States Supreme Court Vance vs. United States 567 U.S. 949-2012 "State" that F.S.A. and the 750 Amendment do apply retroactively under the Section 3582-c-2 U.S. vs Vance imposed the 3553-A provision that's qualify several carrier offender Statutory range of punishment Based on the F.S.A. Partial Minimum Mandatory Sentence further "reduction". Truth of my case is my Chief Judge Paul L. Maloney and District Attorneys B. Rene Skekmer and Jennifer L. McManus was "upset" because I did not cooperate with the courts so they making everything hard that am filing in the District Court. Also they want answers any of my motions for relief and also want to transfer any motion to the appeals court are given me any purports to another to the Appeal court. My Sentence Judge Paul L. Maloney and the U.S. District Attorneys are violating all my Civil Rights and Constitutional Rights, this why am Proceeding this motion U.S.C. 421983 inform Pauper's for relief.

Ruffin L. Parker ~~##~~ 15405-040
FCI Ashland
Federal Correctional Institution
P.O. Box 6001
Ashland, KY 41105



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S. District Court
99 Federal Building
100 Michigan St. NW
Grand Rapids, MI 49503